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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
EUGENE DIVISION

UNITED STATES OF AMERICA,) Case No. 3:20-cr-00277-JO
Plaintiff,)
vs.) **SECOND UNOPPOSED MOTION TO
CONTINUE TRIAL DATE**
RICHARD SCOTT LINSTEDT,)
Defendants.)

Defendant, RICHARD SCOTT LINSTEDT, by and through his attorney, Bryan Boender of Boender & Payment, Attorneys, moves this Court to continue the trial in this case, which is presently scheduled for October 27, 2020. This is the second continuance sought by the defense. The United States does not object to this Motion. The reason for the continuance request is as follows:

The parties have exchanged discovery and are now working towards a pretrial diversion agreement for the Court's consideration. The government must formally request a U.S. Pretrial Services investigation. The parties understand that U.S. Pretrial would like 45 days to complete its investigation and to propose conditions it may seek in a diversion agreement. The parties have also discussed what they understand to be reasonable and necessary conditions of a pretrial

diversion agreement.

This continuance constitutes excludable delay for 88-days, pursuant to Title 18, United States Code, Section 3161(h)(7)(A). The ends of justice served by granting this Motion outweigh the interests of the public and Defendant in a speedy trial because additional time is required to continue negotiations and exchange discovery.

Defendant understands his speedy trial rights and agrees to reset his trial date 88-days to January 5, 2021. Defendant understands that this period will constitute excludable delay under the Speedy Trial Act.

RESPECTFULLY SUBMITTED this 9th day of October, 2020.

/s/ Bryan Boender

Bryan Boender, OSB No. 122823
bryan@oregonattys.com
Attorney for Defendant Richard Linstedt

Certificate of Service

I hereby certify that on the above-mentioned date, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following:

William Narus
Assistant United States Attorney
United States Attorney's Office
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Phone: (503) 727-1101
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DATED this 9th day of October, 2020.

/s/ Bryan Boender

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